

the fact that the Democratic party had been in control of the city for four years and of the state for three years, had then said:

"During the last year it was thought necessary for our organization to present an indictment against our Governor and bring about his removal. The organization leaders in this city refused to recognize the worth of Mayor Tamm. The man nominated in his place was ignominiously defeated, as were all the candidates on the ticket."

Refers to Municipal Defeat.
"I do not believe any fair-minded man would say it was because of any lack of ability or integrity. How was it then that whereas we polled a tremendous vote for the Democratic candidate for President and the state ticket in 1912, a municipal ticket which was essentially as good as any ever put up by us was defeated so badly. It was the first time we were ever defeated by a majority."

"I said I would look into the cause of this defeat. I think I have found the cause. It is painful for me to criticize the man who has been at the head of this organization in the city for five or six years. But I must frankly say that the cause of our defeat, in my mind, was the charge that we were grafters in some cases, a charge which in the testimony of witnesses under oath."

"I am not a grafter and I do not care to be associated with grafters. Since election we have had under oath the statements that money was demanded from men with state contracts, that the money was given and in many cases was never accounted for."

"The people have rendered their verdict. They believe the case has been proved. They hold that the moral verdict is guilty."

"Dr. John W. Cox, at one time assistant treasurer of the Democratic National Committee, and friend of William Jennings Bryan, shouted:

"Let's have general applause for that." The applause was scant, however.

Uphold Wilson, He Pleads.
Justice O'Dwyer went on to speak of the coming election of members of a constitutional convention, a United States Senator, a complete state ticket and Congressmen to "uphold the hands of the best President we ever had."

This reference to Wilson was received with loud applause. Justice O'Dwyer then offered the anti-Murphy resolution, and returned to take up the gavel. "I think Smith started off calmly."

"With due respect to the judge, I think he was unduly agitated," said he. "I would say to him that he should be careful of what he reads in the newspapers. It seems strange that a man occupying the place of Chief Justice of the City Court should say that all that has been brought out in the John Doe proceedings means that all mentioned are guilty."

"Surely you are mindful that in the past most atrocious allegations have been made against good leaders, and that they continued their leadership because the charges were proved groundless. I believe no quarrel with the man who believes the present leadership is not what it should be."

"I differ with the man who says an indictment constitutes guilt. I know that one-half the stories are spread by wily press agents for men who have political ambitions. I did not hear Judge O'Dwyer in 1894 or again in 1901, when we were defeated, get up in this club and move that we make a change in the leadership. Then the charges were more atrocious than they are now."

"Mr. Smith said the scope of the club was now national, and he had been decided some time ago to take no action on local or state affairs. He did not believe the constitution of the club would uphold the consideration of a resolution on local matters."

"The principles in our constitution do not teach us to promote sedition and revolt," he added. "If you can show me that Charles F. Murphy is guilty of half the allegations made against him I will vote for his deposition. In 1898, when the organization was dying, it was revived by the interest of Richard Croker, who was the best and the State of New York."

"There was applause at this reference to the statement of Justice O'Dwyer that he had got out of the club for several years at that time."

Fight Over Resolution.
The motion to lay the resolution on the table, made by Mr. Smith, was seconded by John W. Keller. When Thomas L. Feitner was recognized to speak, Alderman Kennedy protested that a motion to lay on the table was not debatable. Justice O'Dwyer calmly said he had recognized Mr. Feitner first, and held to it in spite of protest.

Justice O'Dwyer declared the resolution carried amid howls of protest on the one side and cheers on the other. Then he said the meeting was adjourned. Friends of Murphy made a dash to the table from all sides.

LIE GIVEN BARNES BY TWO MEMBERS

Assemblymen Asked by "Boss" to Vote for Hinman, They Say.

OWN WORDS AT THESE INTERVIEWS QUOTED

Republican Opponents in Legislature Say State Chairman Is Working with Tammany.

[By Telegraph to The Tribune.] Albany, Feb. 2.—The lie was given direct by two Republican Assemblymen to-night to the statement of William Barnes that he did not ask any member of the Assembly to vote for any candidate for Speaker. These two men, who wish their names withheld at present, told the Tribune correspondent that the state chairman asked them to vote for Harold D. Hinman, Barnes's choice for Speaker. These attempts at dictation by the "boss" occurred in the last days of November.

"This statement of Barnes is false," said one of the Assemblymen, pointing to a paragraph in a letter Barnes wrote to "The New York Herald" and which was also printed to-day in Barnes's own paper, "The Albany Evening Journal." The paragraph in question follows:

"I early announced, although it hardly seemed necessary to do so, that I did not consider it was my function to favor any candidate for Speaker of the Assembly. I did not do so, nor did I ask any member to vote for any candidate for Speaker, although I did advocate, and properly, that the Republicans, having elected a majority of the Assembly, should organize that body and be responsible therefor."

Barnes's Words Quoted.
"Barnes sent for me," said one of these Assemblymen, "shortly before the Albany conference, which was held at the Waldorf-Astoria. I went to his room at the Republican state headquarters, in 41st street. There Barnes asked me to vote for Harold D. Hinman for Speaker of the Assembly and I refused."

"It's nonsensical for Barnes to make such a statement, for there are at least half a dozen Assemblymen that he sent for and asked them to do the same thing. With some of them he was not quite so frank. In one case that I know of Barnes asked the Assemblyman: 'Are you going to vote for Hinman?'"

"When the Assemblyman replied he would not, Barnes said: 'Well, why shouldn't you? Hinman is all right.'"

"Then Barnes's visitor replied: 'Hinman is your man, and that's why I'm against him.'"

"To which Barnes replied: 'Well, we have enough votes upstate to elect him.'"

Another Assemblyman said that "Late Gleason called him on the telephone and told him that Mr. Barnes wanted to see him. In this case Barnes again asked the Assemblyman to vote for Hinman, but again he was told that neither he nor his constituents had any use for Barnes or any Barnes men."

The letter in which Barnes made the statement which has been branded as false was in the nature of a general demand that there was a Barnes organization and that he did not lead any faction in the Legislature. Among the members of the Legislature it is common talk that there is a Barnes faction in the Assembly, and at the present moment this Barnes faction is accused by anti-Barnes Republicans of trying to prevent any real investigation of state departments which will lead to the conviction and imprisonment of grafters.

Might Reach Some Healers.
And it is common talk that if there is a real investigation by the Legislature, an investigation such as District Attorney Whitman is conducting in New York, some political healers may find themselves pleading to indictments charging them with robbing the state. Another passage in Barnes's letter that provoked a little amusement was this:

"When I was elected three years ago chairman of the Republican State Committee I tried to make it clear—and my conduct since has not varied from my declaration—that I did not believe it was the function of the chairman of the state committee to attempt to direct legislation, except to try to hold together those representing the Republican party to what was declared Republican principles, and to prevent them, if possible, from engaging in entangling alliances with other political parties."

"Why," said one anti-Barnes Republican, "the best proof that there was an entangling alliance between Tammany Hall and the Barnes machine was when they worked together to beat Governor Hughes's direct primaries bill. And if there should be need of the two working together again you will find them yoked together."

NAME 'CHANGE COMMITTEE'
Headed by President Mabon Will Go to Washington.

Members of the New York Stock Exchange who will appear at the hearing in Washington beginning to-morrow on the bill introduced by Senator Owen calling for the incorporation of stock exchanges are James B. Mabon, president; H. K. Pomroy, H. G. S. Streib, Mr. Van Antwerp and S. S. Streib. Mr. Van Antwerp has had charge of the preparation of the mass of testimony which the exchange will present. For the first time in years the offices were open Sunday to complete the report. The committee will leave this afternoon for Washington.

NO GRAFT, HE SAYS, UNDER GOETHALS

"Pay Assessments in Panama?" "No, Sir!" Cries N. Y. Canal Witness.

KERBAUGH TO TELL OF "BAGMEN'S" VISITS

Philadelphia Contractor To Be Questioned To-day on the Stewart-Gaffney Matter.

J. S. Kerbaugh, of Stewart, Kerbaugh & Shanley, a Philadelphia contracting firm, will be a witness before the special grand jury to-day to testify to large contributions which he paid to the Tammany "bagmen" in 1912. It is understood that District Attorney Whitman will question Kerbaugh about the Stewart-Gaffney matter.

The witness's name came out in the campaign speeches of John A. Hennessy, just as did the name of James C. Stewart, who was asked for \$100,000 after the 1912 election as a fair contribution for his \$500,000 large canal contracts.

Kerbaugh in 1908 gave \$15,000 to "Fingy" Conners, of Buffalo. Hennessy said the contractor gave another \$15,000 last fall which wasn't recorded by the state committee. Just before election Hennessy charged that Kerbaugh, in return for his handsome contributions, was "using the state's gravel to make concrete on his large canal work."

Attorney General Carmody will be a witness before the grand jury to-day in the matter of the alleged "hold-up" of James C. Stewart's large canal contracts. Other members of the Canal Board testified last week regarding the award of one of Stewart's bids to the P. McGovern Company, highest bidder.

Colonel George W. Goethals's name was introduced in the John Doe graft investigation yesterday. William M. Atchinson, of Buffalo, an engineer in the State Highways Department, was testifying to the lack of efficiency and honesty in the maintenance department of the bureau. Politicians, he said, dominated it, so that civil service employees were obliged to pay service "assessments."

"Where were you employed before you worked for the Highways Department?" asked Magistrate McAdoo.

"As assistant engineer in the Pacific division of the Panama Canal," Atchinson replied.

Magistrate McAdoo whispered something to Assistant District Attorney Clark. "As a worker under Colonel Goethals, then, you didn't have to pay assessments, did you?" the magistrate asked.

"No, sir," replied Atchinson, emphatically. "You weren't asked for any, either?"

"No, sir. There was no politics under Colonel Goethals."

More contributions solicited from the upstate contractors by Everett Fowler, of Kingston, were heard from at the session yesterday. Zadoc Boice, a retired contractor, testified that the first check drawn against his firm, Harrison & Boice, of No. 229 Broadway, was for \$500 in favor of Fowler.

"Why did you feel obliged to pay?" asked Mr. Clark.

"I don't know," replied Boice, showing some chagrin. "I think now that I was a fool to do it."

"Didn't you get anything in return for it?"

"Not a thing."

Boice had contract No. 41 on the aqueduct, for \$125,000, being lowest bidder, in April, 1912. A day or so after he got it, Fowler came to him and asked him for a contribution. He said his company had no labor troubles.

Hubert T. Arnold, of Arnold & Esher, Albany contractors, and a former engineer in the Highways Department, testified that he always refused to pay assessments when he was in the department and didn't contribute to Fowler when he got a road contract in Rensselaer County in 1912. Trouble over the contract, he said, caused him to throw up the work, and he was never been paid for what he did do.

Thomas A. Carr, a Troy contractor and a Republican, said John E. Consalus, of Albany, asked him for money in 1912, and he sent his check for \$100 for fear that they might "make trouble" for him. Richard Hopkins, another Troy contractor, said Consalus invited him to contribute in 1911. He gave \$20.

Thomas P. B. Kennedy, of Albany, was solicited by Fowler in Syracuse in 1912 and gave \$100, because he was afraid that the Bull Moose would beat the Democratic ticket.

The John Doe inquiry will be resumed next Friday afternoon.

TELLS GIRLS TO SEE FIRE PAILS ARE FULL

Inspector Juliette Arden Says It's Up to Them to Have Laws Properly Enforced.

Fire Inspector Juliette Arden observed her first day in her new job by working forty minutes overtime last night. It was 5:30 o'clock when she finished inspecting factories for the day. She made the job a thorough one by reading not only the employer but also the girls a lecture on the folly of laziness.

"You girls deserve to be burned to death if you are too lazy to see to it that these water pails are filled," she said. "Your employer is responsible in the eyes of the law for keeping the water pails full, but it is you who will get burned to death."

Mrs. Arden and her two women colleagues spent yesterday morning in the office of the Bureau of Fire Inspection learning the rules of their new work, so it was not until 2:30 o'clock that they started on their rounds. Each had six buildings. In one factory Miss Arden found that new fireproof refuse receptacles had been bought, but they were being used solely for wall decoration. The old wooden box still stood in the center of the room full of bits of muslin and oily scraps of cotton waste.

BEACHEY TO CIRCLE WORLD

First Entrant for Panama Exposition Aeroplane Race.

[By Telegraph to The Tribune.] San Francisco, Feb. 2.—Lincoln Beachey is the first entrant for the aeroplane race around the world for prizes amounting to \$100,000 or more, offered by the Panama-Pacific Exposition.

Negotiations are under way for the selection of an international commission, consisting of national commissioners from each of the countries on the route of the race, it was announced to-day.

This commission will be scientific and advisory, and its duties will be to suggest the plan of route and offer counsel as to geographic, meteorologic and scientific problems.

The President of the United States, the King of Great Britain, the President of France, the Emperor of Germany, the Emperor of Russia, the Emperor of Japan and the Premier of British Columbia will be asked to name the commissioners.

NILES, AVIATOR, Baffles Death

Continued from first page.

shot headforemost toward the earth. Suddenly the aviator reversed his controlling gear and the monoplane turned neatly over, then climbed straight upward. The machine started briskly, and the little group below, watching breathlessly, thought the attempt to loop the loop would be successful. But when the monoplane was about to right itself—the aviator's head was already pointing upward—the hum of the engine suddenly ceased. It had stalled at a most critical time.

As the aeroplane dropped, still pointing upward, most of the spectators had their faces in their hands. A shout from a more experienced witness caused them to look aloft again, however, and they saw that the aviator had righted the machine. Before they could breathe their relief, however, Niles, determined to turn over completely, put the machine through the same tactics again.

Once more he dropped like a plummet, turned over and sailed up again, but, as on the first attempt, the engine stopped. As it fell Niles fought with death, and the aeroplane reared, tumbled and dipped dizzily as the aviator manipulated the levers. He succeeded in righting it again, and then made the third attempt to put the machine over and bring it back to its original position, but this likewise was a thrilling fizzle.

Niles during the manoeuvres had dropped from 3,000 feet to about 300 feet above the ground. Swinging off in a circle, he landed at almost the same point from which he left the ground. When the spectators pressed about him he explained the reason for his failure.

"When I started to climb perpendicularly," he said, "the gasoline failed to reach the engine and it stalled. The coil leading from the tank to the cylinders is too short to hold a sufficient supply to give me enough momentum to make the complete turn. When that defect is altered in a few days I'll loop the loop all day for you."

Just to show how little the experience had affected him, Niles declared he would go aloft again to give an exhibition of flying upside down, at least. He arose cleanly, flew off straight a couple of miles, climbing higher and higher as he went, then when he was above his starting point he swooped straight down. Suddenly the yellow tops of the planes flashed in the sun and the spectators saw the aviator flying along steadily with the monoplane in a reversed position. For a few seconds he maintained that position; then he made another downward sweep, completing a figure resembling an elongated letter "S," and the machine was in its normal position. With the engine working perfectly, Niles effected a graceful landing.

In a few days, when alterations on the machine are completed, Niles said he would try again to make a perfect loop.

T. R., JR., BUYS CITY HOME

Purchases House to Which He Took Bride Two Years Ago.

Theodore Roosevelt, Jr., has purchased the four story dwelling at No. 165 East 74th street, midway between Lexington and Third avenues.

The house, which has been remodelled, has been occupied by Mr. Roosevelt under lease for the last two years. It was purchased through the Douglas Robinson, Charles S. Brown Company, from the Hyde Realty Company. The asking price for the property was \$45,000.

RICH WOMAN ON TRAIL OF 2 DIMES BEATS CONDUCTOR

Another Smashing Verdict Against Street Railway Greed Is Handed Down by Fists of Fair Passenger, Who Paid Too Much by Error.

Escorting a 25-cent piece, Mrs. Rebecca Edelman, whose husband, Meyer, is a wealthy clock and suit manufacturer at No. 141 West 20th street, left his office at 5 o'clock yesterday afternoon, accompanied by her maid, for her home, at No. 401 46th street, Brooklyn.

They boarded a southbound Third avenue surface car at 20th street, and Mrs. Edelman handed the quarter to the conductor to change that she might drop 10 cents in the slot. He gave her two dimes and a nickel. And here enters tragedy, for she dropped the two dimes into the slot. She gasped.

"Oh! Look what I've done!"

"Too bad, but I can't help you," said the conductor, by name Leslie E. Devlin, and by address No. 206 East 90th street.

"But we can't get to Brooklyn if you don't give me one of those dimes back," Mrs. Edelman pleaded.

"Move into the car, ladies," said Devlin.

That was the last remark Leslie made for several minutes. Mrs. Edelman slapped him in the face and then

NANTUCKET CAPTAIN MUST STAND TRIAL

Charged with Negligence in Sinking Old Dominion Liner Monroe.

REDFIELD ACTS AFTER READING TESTIMONY

Philadelphia Board of Inspectors to Take Evidence for Both Sides.

[From The Tribune Bureau.] Washington, Feb. 2.—Charges of negligence will be preferred against Captain Osman Berry, master of the Nantucket, when rammed the Monroe off the Virginia Capes early on Friday morning, resulting in the sinking of the latter vessel, with the loss of forty-one lives, by Robert E. Tapley, local inspector of hulls at Norfolk, Va., who conducted a preliminary investigation of the disaster. Captain Berry will have a hearing before the board of local inspectors at Philadelphia.

The Department of Justice will be represented at the hearing and will be furnished with all the testimony with a view to determining whether there is sufficient evidence to warrant prosecution or an investigation by the grand jury.

George Thier, supervising inspector general of the steamboat inspection service, and Eugene T. Chamberlain, commissioner of navigation, will act as a special committee of the Department of Commerce to make a particular inquiry into the facts of the disaster, "with a view to suggesting such procedure, either on the part of the department itself or in the way of legislation, as may be taught by this unfortunate accident."

These are the principal developments of a conference of the Secretary of Commerce, Assistant Secretary Edwin F. Sweet, Solicitor Albert L. Thurman, of the Department of Commerce; General Thier and Mr. Chamberlain, held to-day to consider the report of Inspector Tapley.

Secretary Redfield issued a statement outlining the department's course of action, following the conference. Regarding the testimony submitted by Inspector Tapley in his report, Mr. Redfield said:

"A careful examination of the testimony shows that Inspector Tapley brought out the evidence with a great deal of intelligence and thoroughness, and it tends to show that there was negligence on the part of Captain Berry, of the Nantucket. It would, however, be quite improper to pass upon that question at this time further than to decide that there is sufficient evidence to require that charges be preferred against Captain Berry and that the question of his innocence or guilt be made the subject of further investigation."

CASSIDY AND WALTER GUILTY

Continued from first page.

him power without responsibility so long as you believe he has not transgressed the laws of the state. The mere fact that you disagree with the method by which nominations have been made, or are made, does not call for the conviction of either of these defendants, unless they have transgressed the law.

"This case is not only important, but it is also interesting, because of the many propositions involved, the study of human nature which it offers, and the results you can see which may arise from the possession of power in politics. It interests us all, because you can readily see that some reform is needed along those lines. But the necessity for reform is not to be considered in determining your verdict."

Weeps Like Fat Schoolboy.
The big Queens leader wept like a fat schoolboy whose teacher had hurt his feelings during the summing up of counsel for the defence. He began to show emotion soon after Robert M. Moore, counsel for Walter, began to sum up toward the close of the morning session. Tears welled up in his eyes and coursed down his cheeks as Mr. Moore reached the close of his address to the jury.

"Curly Joe" pulled himself together quickly as court adjourned, and was the same smiling and confident boss of old as he met some of his friends in the Courthouse lobby on the way to luncheon. He held himself under better control of the afternoon session, though at times his bowed head and

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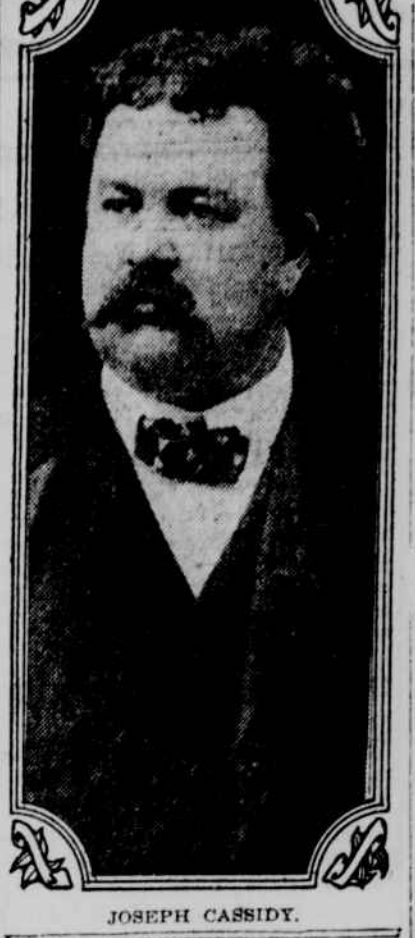
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JOSEPH CASSIDY.

trembling hands showed how he felt the strain.

Former Assistant District Attorney Elder, Cassidy's counsel, occupied over two hours in summing up at the afternoon session.

District Attorney Crosey began his address to the jury at 4:30. At 7 o'clock Justice Jaycox adjourned court for an hour's recess. Mr. Crosey finished in half an hour after court reconvened, and Justice Jaycox began to charge the jury at 8:20 o'clock. Mr. Crosey's denunciation of the Queens leader had the effect of changing his sentimentality to a show of anger and disdain. The big fellow straightened up in his seat and shook his curly head defiantly at the District Attorney. He leered at Mr. Crosey and his eyes flashed angrily when he heard himself called "a man who would do anything to increase his roll."

Mr. Moore, Walter's counsel, brought down upon himself a sharp rebuke from the court when he persisted in interrupting the District Attorney and intimating that the defence was not getting a fair show. Justice Jaycox curtly ordered Moore to sit down, saying:

"I will take cognizance of what you said and call you to account later on." The trend of the final argument of both counsel for the defence was to the effect that the evidence against the defendants was circumstantial and merely indicated suspicious circumstances.

"Nothing Proved," Says Defence.
"Is there any evidence anywhere in this case," Mr. Moore asked the jury, "that one dollar of all this money came into the possession of these defendants? You can guess at it, but a man is never convicted on mere suspicion."

In the same vein Mr. Elder said: "Nobody saw Willett give the money to Cassidy or to Walter. None of the money has been traced to Cassidy. A large part of this case is innuendo and inference. Why should Willett have paid Cassidy \$5,000, or any sum of money, in consideration of a corrupt bargain before the primaries when there was no assurance, no certainty, that Cassidy could go into the primaries and deliver the goods?"

District Attorney Crosey said he believed the trial of Cassidy and Walter was the most important that had been held in Kings County for the last twenty years. There was only one worse crime, in his opinion, he said, and that was the attempt to bribe a judge or a jury, and the acceptance of such a bribe by a judge or a juror. He declared that he had purposely refrained from putting in evidence in an attempt to defame Cassidy's character prior to the time of the present indictment, because he believed it was not the part of the prosecuting attorney to try a man for anything else except the specific charge in the indictment.

Mr. Crosey pointed out that the testimony from witnesses who were intimate friends of one or all of the three men—Willett, Cassidy and Walter. It was on their testimony that the people asked for a conviction, and he analyzed the testimony of the various witnesses to show that the \$5,000 which Willett had borrowed just prior to the primaries, when he received the nomination for the Supreme Court bench, had reached Cassidy's "roll" through his "man Friday," Walter. He discredited the testimony of Cassidy and Walter, and declared that their explanation of money "borrowed" from Willett for payments of stock in their automobile was merely framed up in an effort to show where some of the \$5,000 had gone.

"I can't find any reason in the world why Cassidy should have wanted to elude Willett to the bench after that," said Mr. Crosey, "unless it was for money. Willett knew Cassidy all right, and he knew how to reach him—through his roll. Make the roll big enough and you could get Cassidy. Cassidy said he was lonesome without a big roll."

District Attorney Crosey resumed the cross-examination of Cassidy at the opening of the morning session. Cassidy told how he and his lieutenants "ran" the primaries in Queens.

Referring to the election in the fall of 1911, Cassidy said in answer to the question of Mr. Crosey that Willett, Humphreys, Noble and other receptive candidates came to see him about the nomination prior to the election. He did not give any of them a definite answer at the time, he said.

"When did you decide whom you were for in the matter of the nomination?" asked Mr. Crosey.

"Well, I favored Willett," was the non-committal answer.

"Did you have any doubt that the man you selected would be accepted by the delegates?" asked the District Attorney.

"I thought they would nominate the man I chose," replied "Curly Joe." "I know one judge who was nominated when every delegate was against him—this was Judge Seudder."

Cassidy admitted that he had never made any accounting for funds placed in his hands for use in the primaries. He said no accounting was necessary, because the fight was purely personal at the primaries and did not become a party matter until after the primaries.

EXHIBITION OF 34 PAINTINGS BY FRAGONARD

In Aid of the Artist Fund Society the French Benevolent Society

E. GIMPEL & WILDENSTEIN

673 Fifth Avenue (at 53d St.)

From Jan'y 31st to Feb. 14th Entrance Fee 50c.

HORNBLOWER AND WEEKS APPOINTED

First Confirmed for Court of Appeals and Second for Supreme Bench.

CARDOZO ALSO GOES TO HIGHER TRIBUNAL

Glynn's Friends Disappointed. Selections Do Not Prove Break with Tammany.

[By Telegraph to The Tribune.] Albany, Feb. 2.—Governor Glynn made two judicial nominations to the Tammany Senate to-night, which promptly confirmed them. A third appointment did not require confirmation. The three were:

William Butler Hornblower, for associate judge of the Court of Appeals, to succeed Willard Bartlett, who was elected chief judge of the court in November.

Benjamin N. Cardozo, designated associate judge of the Court of Appeals upon the certification of the judges of the court that another judge is needed.

Bartow S. Weeks, for Supreme Court justice for the 1st Judicial District, to succeed James W. Gerard.

There was criticism heard here of the appointment of Weeks, who was the Tammany candidate for Supreme Court justice. He has always been regarded as a strong Tammany man, and he served seven years as an Assistant District Attorney in New York City in Tammany administrations.

The appointment of Justice Cardozo, who was elected to the Supreme Court bench last fall on the Union ticket, was made, many believe, to soften the disappointment of those who had expected Governor Glynn to break away from Tammany alliances at the selection of Weeks.

Mr. Hornblower is 511 at his home, 512 Fifth avenue, having been confined to his bed for a week with a cold.

"Some time ago my father refused the appointment when Governor Glynn offered it to him," said George Hornblower, his son, last night. "But if the people of the state call him he will probably accept."

Nominated by Cleveland.
Mr. Hornblower is need of the firm of Hornblower, Miller & Potter, of No. 3 Broad street. He is rated an Independent Democrat.